

ZONING MAP CHANGE REPORT

Meeting Date: June 18, 2012

Table A. Summary				
Application Summary				
Case Number		Z1100026	Jurisdiction	City
Applicant		Tim Sivers, Horvath Associates, PA	Submittal Date	October 10, 2011
Reference Name		Del Webb Duraleigh Arbors	Site Acreage	431.61
Location		South side of Leesville Road, east of Doc Nichols Road and north and west of Andrews Chapel Road		
PIN(s)	0769-01-06-9898, -16-4591, -26-4978, -9080, -9883, -27-3333, -5342, -8179, -35-3524, -36-3589, -03-03-9331(partial), -04-2604(partial), -14-4892, -24-8486, -33-2232, -35-7254, -41-3869, -4971, 6925, -42-5743, -8030, -9031, -44-6000, -04-52-0289, -7602(partial), -53-0239			
Request				
Proposed Zoning		Planned Development Residential (PDR-3.700)	Proposal	Residential development of single-family, semi-attached, duplex and triplex units with a clubhouse
Site Characteristics				
Development Tier		Suburban		
Land Use Designation		Low Density Residential (4 DU/Ac. or less) and Low-Medium Density Residential (4-8 DU/Ac.)		
Existing Zoning		Planned Development Residential 4.000 (PDR 4.000) and Residential Rural (RR)		
Existing Use		Single-family residential, forestry, agricultural		
Overlay		F/J-B (partial)	Drainage Basin	Lower Neuse, Falls Lake
River Basin		Neuse	Stream Basin	Brier Creek, Little Lick Creek
Determination/Recommendation/Comments				
Staff		Staff determines that, should the plan amendment be approved, this request would be consistent with the <i>Comprehensive Plan</i> and other adopted policies and ordinances.		
Planning Commission		Approval 7 – 4, on May 15, 2012. The Planning Commission finds that the ordinance request is not consistent with the adopted <i>Comprehensive Plan</i> . However, should the plan amendment be approved, the request would be consistent with the <i>Comprehensive Plan</i> . The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.		
DOST		None provided.		
BPAC		None provided.		

A. Summary

This is a request to change the zoning designation of 26 parcels of land totaling 431.61 acres from RR and PDR 4.000 to PDR 3.700 with a committed maximum of 1,314 single-family and/or multi-family units with an amenity center (committed). The subject property is located on the south side of Leesville Road, east of Doc Nichols Road and north and west of Andrews Chapel Road (see Attachment 1, Context Map). This request is not consistent with the *Comprehensive Plan* which designates this property as Low Density Residential (4 DU/Ac. or less) and Low-Medium Density Residential (4 – 8 DU/Ac.). A plan amendment, Case A1100012, to designate the entirety of the subject parcel as Low Density Residential (4 DU/Ac. or less) is being recommended for approval by staff.

Appendix A provides supporting information.

B. Site History

The majority of this site (368.8 acres of 431.61 acres) was recently zoned PDR 4.000. The request was approved by the Durham City Council on August 1, 2011 immediately following approval of the associated annexation request (case FY2011-04) and the initial zoning map change (case Z1000016A as a translational zoning). The Planning Commission recommended denial, 6 – 6 on May 10, 2011.

A request to the City of Durham for annexation of 63 acres of RR zoned parcels located in Durham County has been submitted (case FY12-04) and is scheduled for Council consideration.

The changes between the present request (case Z1100026) and the existing zoning (case Z1000016) are summarized by the applicant in Attachment 8, Summary of Changes.

Two site plans associated with this site have been approved. The first, case D1100150 (approved March 16, 2012), is a preliminary plat for 750 residential units. The second, case D1100166 (approved March 2, 2012), is for infrastructure improvements and was reviewed concurrently with City of Raleigh staff.

C. Review Requirements

Planning staff has performed a sufficiency review for this Zoning Map Change request (reference UDO Sec. 3.2.4, Application Requirements [general] and 3.5.5, Application Requirements [for a Zoning Map Change]). This staff report presents the staff findings per Sec. 3.5.8, Action by the Planning Director, on the request's consistency with the Unified Development Ordinance and applicable adopted plans.

This review is based primarily on compliance with any applicable laws, plans, or adopted policies of the City Council and Board of County Commissioners. Any issues or concerns raised in this report are based on best professional planning practice unless they have a basis in adopted plans, policies, and/or laws.

D. Unified Development Ordinance (UDO) Compliance

This request is consistent with the requirements of the Unified Development Ordinance. The associated development plan (Attachment 4, Development Plan reduction) provides the required elements for zoning map change requests in the PDR district (Sec. 3.5.6.D and Sec. 6.11.3). In addition, commitments in excess of UDO requirements have been made (see Appendix D for supporting information):

Graphic Commitments. Elements depicted on a development plan (including but not limited to labels and descriptive information) become commitments. A summary of graphic commitments (see Table D5, Summary of Development Plan) includes: housing types, building setbacks, road layout, pod areas (describing the types of uses by geographic area), greenway trail, and offsite traffic improvements as shown in the development plan (Attachment 4).

Text Commitments. Text commitments have been proffered to commit to requirements in excess of ordinance standards and are shown in Appendix D, Table D5, Summary of Development Plan.

Design Commitments. Multifamily structures require design commitments accompanying a zoning map change when a development plan is included. As such, design commitments are required to be made for this site. The design commitments of this development provide commitments regarding architectural style, roofline, and materials. See Table D5, Development Plan Summary, for these commitments.

Determination. The requested PDR 3.700 zoning district and associated development plan meets or exceeds the applicable requirements of the UDO. If this zoning map change request is approved, the attached development plan (Attachment 4) shall establish the level of development allowed on the property.

Future Fire Station. Text commitment #12 commits to providing a site for a future fire station. In accordance with UDO Secs. 5.1.2 and 5.2.4.D, to permit a fire station on the subject parcel it must be shown on this development plan. It should be noted that the future fire station site is not depicted on the development plan of this request and, as such, the fire station must be provided offsite which may require a minor special use permit or development plan zoning depending on the zoning of the selected site.

E. Adopted Plans

A zoning map change request must be consistent with the *Comprehensive Plan*. As such, other adopted plans have been included by reference in this document. Table E, Adopted Plans, in Appendix E identifies the applicable policies of the *Comprehensive Plan* and other adopted plans included by reference.

Determination. Other than compliance with the Future Land Use Map (see companion plan amendment case A1100012), the requested PDR 3.700 zoning district and associated development plan are consistent with the *Comprehensive Plan*.

Conditions in other adopted plans have been identified (see Appendix E, Table E):

Long Range Bicycle Plan Map 4.8 and Durham Trails and Greenways Mater Plan. The development plan commits to providing a greenway trail and/or easement along the two tributaries of Little Brier Creek as shown on sheet D100 of the development plan (see Attachment 4, Development Plan reduction) for consistency with adopted plans. Additionally, text commitment #7 commits the developer to provide a 4-foot paved shoulder along the Leesville Road and Andrews Chapel Road frontages for consistency with Map 4.8 of the Long Range Bicycle Plan.

Wake-Durham Comprehensive Street System Plan. The development plan commits to the construction of a north/south collector street as well as an off-site collector street (alignment to be identified through the site plan process) to T. W. Alexander Drive for consistency with the Wake-Durham Comprehensive Street System Plan.

F. Site Conditions and Context

Site Conditions. This site consists of 431.61 acres of single-family residential and agricultural uses. The site is impacted by streams and stream buffers, floodway fringe, and steep slopes. There are two existing farm ponds and a 335-foot Progress Energy Easement that transects the site. Portions of this site have been cited for illegal clear cutting activity because the timbering activity on portions of the site failed to maintain the appropriate perimeter buffers as well as forestry activities that intruded into some portions of the required stream buffer areas.

Area Characteristics. This site is in the Suburban Tier and in an area transitioning from rural to suburban uses. It sits near the Durham-Wake County line where, just south of this site in Wake County, recent large-scale commercial and residential projects have already been completed.

A portion of the site along Leesville Road is within the F/J-B Watershed Protection Overlay.

Appendix F provides a summary of the uses and zoning in the more immediate vicinity of the subject site.

Determination. The proposed PDR 3.700 district meets the ordinance and policy requirements in relation to site and context and is a reasonable request given the surrounding transitioning uses. Portions of a new north-south collector street would be constructed within the site, as required by adopted street systems plans. Significant off-site water and sewer facilities would be needed to accommodate the project.

Timbering activities. Through the timbering process mentioned above, several properties have been clear cut and determined to be in violation of UDO Sec. 8.3.4. As such, any site plan application submitted for PINs 0769-01-36-3589 and 0769-01-26-4978 shall not be approved prior to April 18, 2014 and November 12, 2013 for PINs 0769-01-16-4591 and 0769-03-14-4892.

G. Infrastructure

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer systems, and schools. In each case, the impact of the change is evaluated based upon a change from the most intense development using the existing land use and zoning to the most intense use allowed under the request.

See Appendix G for additional information.

Determination. The proposed PDR district is consistent with *Comprehensive Plan* policies regarding infrastructure impacts. With current and expected growth in this area, significant improvements will be required for infrastructure that have not yet been approved.

Traffic. The rural nature of this area will require significant transportation system improvements. A north-south collector street will be developed through this site in addition to connecting (off-site) to T.W. Alexander Drive. Other offsite improvements are also required. Text Commitment #3 places age restrictions on the community and limits the projected traffic impact of this proposal. Without this commitment the traffic impacts would be much greater.

Water and Sewer. A portion of this site does not presently have access to the adequate water and sewer improvements that would be required of this development. However, an Extension Agreement has been submitted to the City of Durham for these services.

H. Staff Analysis

Should the plan amendment be approved, this request would be consistent with the *Comprehensive Plan* and other applicable adopted plans and policies. Staff has identified the following concerns:

Age-Restrictions. The commitment for this development to be age restricted was proffered to allow the Traffic Impact Analysis to be performed under a reduced set of assumptions. Without the age restriction, the traffic impact would be much greater and significantly more improvements would be required. Although Planning accepts this commitment as enforceable, the future Home Owner's Association (HOA) will be responsible for providing required information to ensure proper enforcement. Should the HOA not comply with this commitment, Zoning Enforcement action may include assessment of a fine. Should the HOA ever become inactive, there would no longer be any practicable method to enforce this commitment.

Development Catalyst. If this application and associated development approvals are obtained, significant infrastructure improvements would be required; most notably road improvements and utilities. A project of this scope would be a catalyst for additional growth in the area, particularly in this sewer basin (generally the area bounded by Leesville Road, US Highway 70 and the Wake County line) which would encourage development with the availability of sewer and water infrastructure.

I. Contacts

Table I. Contacts		
Staff Contact		
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov
Applicant Contact		
Tim Sivers, Horvath Associates, PA	Ph: 919-490-4990	tim.sivers@horvathassociates.com

J. Notification

Staff certifies that newspaper advertisements, letters to property owners within 600 feet of the site and the posting of a zoning sign on the property has been carried out in accordance with Section 3.2.5 of the UDO. In addition, the following neighborhood organizations were mailed notices:

- Inter-Neighborhood Council
- Fayetteville Street Planning Group
- Friends of Durham
- Unity in the Community for Progress
- Olive Branch Road Association
- RDU HZO Permit Area

K. Summary of Planning Commission Meeting May 15, 2012 (Case Z1100026)

Zoning Map Change Request: RR, PDR 4.00 to PDR 3.700

Staff Report: Ms. Wolff presented the staff report.

Public Hearing: Chair Brown opened the public hearing. One person spoke in favor and none spoke against. Chair Brown closed the public hearing.

Commission Discussion: Commission discussion centered on traffic, enforceability of age restrictions, and stormwater.

Motion: Approval of the zoning map change (Ms. Board, Mr. Kimball 2nd)

Action: Motion carried 7-4 (Board, Brown, Monds and Jones voting no).

Findings: The Planning Commission finds that the ordinance request is not consistent with the adopted *Comprehensive Plan*. However, should the plan amendment be approved, the request would be consistent with the *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

L. Supporting Information

Table K. Supporting Information		
Applicability of Supporting Information		
Appendix A	Application	Attachments: <ol style="list-style-type: none"> 1. Context Map 2. Future Land Use Map 3. Aerial Photography 4. Development Plan Reduction 5. Application 6. Owner's Acknowledgement 7. Submittal and Review History
Appendix B	Site History	Attachment: <ol style="list-style-type: none"> 8. Summary of Changes
Appendix C	Review Requirements	n/a
Appendix D	Unified Development Ordinance	Table D1: Designation Intent Table D2: District Requirements Table D3: Environmental Protection Table D4: Project Boundary Buffers Table D5: Summary of Development Plan
Appendix E	Adopted Plans	Table E: Adopted Plans
Appendix F	Site Conditions and Context	Table F: Site Context
Appendix G	Infrastructure	Table G1: Road Impacts Table G2: Transit Impacts Table G3: Utility Impacts Table G4: Drainage/Stormwater Impacts Table G5: School Impacts Table G6: Water Impacts
Appendix H	Staff Analysis	n/a
Appendix I	Contacts	n/a
Appendix J	Notification	n/a
Appendix K	Summary of Planning Commission Meeting	Attachments: <ol style="list-style-type: none"> 9. Planning Commissioner's Written Comments 10. Ordinance Form

Appendix A: Application Supporting Information

Attachments:

1. Context Map
2. Future Land Use Map
3. Aerial Photography
4. Development Plan Reduction
5. Application
6. Owner's Acknowledgement
7. Submittal and Review History

Appendix B: Site History

Attachments:

8. Summary of Changes

Appendix D: Unified Development Plan Supporting Information

Table D1. UDO Designation Intent	
PDR	Planned Development Residential: The PDR district is established to allow for design flexibility in residential development. The district is intended to encourage efficient use of land and public services and to promote high quality design that will provide a variety of dwelling types as well as adequate support services and open space for the residents of the development. The district regulations are intended to allow innovative development that is integrated with proposed adjacent uses and compatible with existing patterns of development.
F/J-B	Falls/Jordan District B Watershed Protection Overlay: The purpose this overlay district is to preserve the quality of the region's drinking water supplies through application of the development standards intended to protect the environment. In general, water supply protection will be accomplished by establishing and maintaining low intensity land use and development on land near the region's water supply rivers and reservoirs. Where high density development is desired, water supply protection will be accomplished through the use of engineered stormwater controls. The overall objective is to: <ul style="list-style-type: none">• Reduce the risk of pollution from stormwater running off of paved and other impervious surfaces; and• Reduce the risk of discharges of hazardous and toxic materials into the natural drainage system tributary to drinking water supplies.

Table D2. District Requirements – PDR			
	Code Provision	Required	Committed
Minimum Site Area (square feet)	6.11.3.B.1	4	431.61
Residential Density	6.11.3.C	Specified on plan	3.700 (DU/Ac.)
Maximum Height (feet)	6.11.3.C.3	90	35 – residential 50 – clubhouse 75 – clubhouse distinctive features
Minimum Street Yard (feet)	6.11.3.E.1	8	Single-family: 8 Multi-family: 8
Side Yard (feet)	6.11.3.E.2	n/a	Single-family: 5 Multi-family: 0
Rear Yard (feet)	6.11.3.E.2	n/a	Single-family: 5 Multi-family: 5
Minimum Open Space (%)	6.11.3.F	16 (69.058 ac.)	16 (69.058 ac.)

Table D3. Environmental Protection			
Resource Feature	UDO Provision	Required	Proposed
Tree Coverage	8.3.1C	20% (77.076 acres)	20% (77.076)
Impervious Surface	8.7.2B	70% (302.127) maximum	45% (194.224 acres)
Stream Protection (buffer in feet)	8.5.4.B	50	50

Table D4. Project Boundary Buffers			
Cardinal Direction	Adjacent Zone	Required Opacity	Proposed Opacity
North	PDR 3.000	0.0/0.0	n/a – right-of-way greater than 60 feet
	RR	0.2/0.2	0.2 (10 feet)
East	RR	0.2/0.2	0.2 (10 feet)
South	RR	0.2/0.2	0.2 (10 feet)
West	RR	0.2/0.2	0.2 (10 feet)

Table D5. Summary of Development Plan		
Components	Description	Development Plan Sheet
Required Information	Intensity/Density. 4.000 DU/Ac. = 1,314 units	D000/D100/D101
	Building/Parking Envelope is appropriately identified.	D100/D101
	Project Boundary Buffers. Appropriately identified.	D100
	Stream Crossing. 13 stream crossings have been identified subject to DWQ approval. Four vehicular and nine identified for utility and/or trail crossings.	D100/101
	Access Points. Three site access drives and nine vehicular cross access drives have been identified. Additionally, one temporary site access drive has been identified (see text commitment #13).	D000/D100/D101
	Dedications and Reservations. 25 feet right-of-way dedication along frontage on Leesville Road and 10 feet of right-of-way dedication along frontage on Andrews Chapel Road.	D00/D100/D101
	Impervious Area. 45% = 165.96 acres	D000/D100/D101
	Environmental Features: The following protected environmental features have been identified: <ul style="list-style-type: none"> Streams – 40.985 acres of stream buffers Floodway fringe – 20.837 acres Steep slopes – 4.961 acres 	D100/D101
	Areas for Preservation. There were no conditions identified, other than environmental features, that require preservation.	n/a
	Tree Coverage. 20% = 77.076 acres	D100/D101
Graphic Commitments	Single-family and multi-family lot layouts as shown on D000 are graphically committed.	D000
	A road layout depicting a north-south collector street has been committed as shown.	D100/D101
	Six pod areas have been identified as on plan.	D100/D101
	A greenway trail and/or easement will be provided as shown on plan. See text commitment #1.	D000/D100/D101
	Offsite traffic improvements have been committed as graphically depicted. See text commitments for Summary of TIA Required Improvements.	D000/D102

Table D5. Summary of Development Plan		
Text Commitments	<ol style="list-style-type: none"> 1. A greenway trail and/or easement will be provided per the long range bicycle plan map 4.8 and Durham trails and greenway plan (as shown on sheet D100 and D101). 2. The area of development will include single, semi-attached, duplex, and / or triplex residential units along with an amenity center(s). The amenity center(s) will be located in pod 1, 2 and/or 4. All multi-family unit structures will maintain a separation of 50 feet from adjacent off-site residential primary structures exclusive of streets. 3. This community shall consist of "age restricted" units in accordance with the federal housing for older persons act of 1995 and the exemptions for housing for older persons contained in the North Carolina Fair Housing Act. <p>In accordance with the provisions of the housing for older persons act, the following requirements shall be satisfied;</p> <ol style="list-style-type: none"> 1. That at least 80% of the occupied dwelling units in the community must be occupied by at least one occupant who is 55 years of age or older; 2. Permanent residents under the age of nineteen will not be permitted; 3. That the housing community publish policies and procedures that demonstrate its intent to comply with the housing for older persons act; and 4. That the community comply with the rules issued by the department of housing and urban development (HUD) for verification of occupancy requirements. <p>The declaration of covenants, conditions, and restrictions for the community shall require that the HOA comply with the requirements of the federal housing for older persons act of 1995. The declaration shall:</p> <ol style="list-style-type: none"> 1. Specify that at least 80% of the dwelling units in the community must be occupied by at least one occupant who is 55 years of age or older, 2. Specify that a permanent resident under the age of nineteen will not be permitted subject to the requirements of the federal housing for older persons act, 3. Require the HOA to document and verify the ages of the dwelling unit occupants in accordance with the housing for older persons act; and 4. Require the HOA to provide evidence of compliance with the housing for older persons act to the zoning enforcement officials upon request. 	D000

Table D5. Summary of Development Plan		
	<p>All housing within the community shall be subject to the housing for older persons act and the declaration of covenants, conditions, and restrictions. The declaration of covenants, conditions, and restrictions shall be subject to review by the city attorney and Durham planning director, to verify continued compliance with this zoning condition. The HOA documents must be reviewed and approved by the planning department and city attorney's office prior to recordation. Recordation must occur prior to issuance of any certificate of occupancy.</p> <p>As a condition of the zoning, the HOA shall continuously enforce these requirements and the covenants, conditions, and restrictions. The HOA documents will require that, in the event that the community becomes non-compliant with these requirements, and/or is notified by the City of a potential violation, the HOA shall take actions necessary to remedy the violation and bring the community back into compliance within the prescribed timeframe as defined by the Durham City-County Planning Department or will be responsible for any notices of violation or civil penalties that may be assessed for non-compliance.</p> <p>The HOA and/or the developer (up to the time of total build out) shall conduct a survey every year to verify the ages of the dwelling unit occupants, all in accordance with the housing for older persons act, and shall provide a summary of the findings and a certification from the HOA president/manager to the planning director by January 15th of each year. Failure to do so will result in a zoning violation subject to appropriate zoning enforcement action including the issuance of a \$500.00 per day civil citation (fine) or the maximum fine allowable.</p> <ol style="list-style-type: none"> 4. A north/south collector street will be constructed to City of Durham standards as a public street with sidewalks on both sides. 5. An offsite collector street shall be constructed to City of Durham and NCDOT standards as a public street with sidewalks on both sides to T. W. Alexander Drive. 	

Table D5. Summary of Development Plan		
	<ol style="list-style-type: none"> 6. An additional 25 feet of right-of-way will be dedicated for the frontage of the site along Leesville Road and an additional 10 feet of right-of-way will be dedicated for the frontage of the site along Andrews Chapel Road. The right-of-way dedication may be phased at the site plan submittal and will occur prior to the issuance of any building permit associated with the site plan phase immediately adjacent to that right-of-way. 7. A four (4) foot wide paved shoulder will be provided along the frontage of Leesville road and Andrews Chapel Road. 8. Private streets will be located within the model park / sales center area. When all homes within the model park / sales center are no longer required for sales, the associated private streets will be dedicated as public right-of-way and any security gating removed from the public right-of-way. All collector streets will be publicly dedicated rights of way and not private. 9. The combined maximum number of semi-attached, duplex, single-family attached, townhouse, and multiplex units shall be 200. 10. Prior to issuance of the 650th certificate of occupancy, the developer will request that the city of Durham department of transportation initiate a transit service study, coordinated by DATA/TTA. The developer will be required to provide to the Durham City-County Planning Department a quarterly certification, by the first day of the month of each quarter, concerning the number of certificates of compliance/occupancy (COS) issued to verify the build-out threshold. The transit service study will determine the feasibility and benefit of fixed route transit service for the project. If the city determines such service is appropriate, and agrees to implement service within three years, the developer shall make a lump sum payment to the city of Durham of \$50,000. 11. The developer shall provide a site for a future fire station to the City of Durham, at no cost to the City of Durham and subject to the approval by the City, prior to issuance of the 50th certificate of occupancy. The site shall be a minimum of 4 acres and may be located external to the subject tract. The developer will be required to provide to the Durham City-County Planning Department a quarterly certification, by the first day of the month of each quarter, concerning the number of certificates of compliance/occupancy (COS) issued to verify the build out threshold. 	

Table D5. Summary of Development Plan		
Text Commitments	<p>12. A temporary street connection (2a) to Leesville road (if needed) may be constructed as a right-in/right-out with approval of a NCDOT driveway permit and encroachment. The construction of the temporary street will meet the standard street requirements of the City of Durham. When the construction of the collector road (2) is completed and open for traffic, the temporary street (2a) will be removed and excess row abandoned. Until such time as the collector road (2) is opened for traffic, no building certificate of occupancy will be issued for lots that are created within the following parcels:</p> <p style="padding-left: 40px;">PIN 0769-01-36-3589 (Perry) PIN 0769-01-26-4978 (Mason) PIN 0769-01-16-4591 (Ross) PIN 0769-03-14-4892 (Ross)</p>	Cover
SIA Commitments	Stormwater commitments have not been proffered as a result of the Stormwater Impact Analysis checklist.	n/a
TIA Commitments	<p><u>US 70 and T.W. Alexander Drive (signalized)</u></p> <ol style="list-style-type: none"> 1. Restripe the eastbound (southbound in the analysis) us 70 approach to provide for a third through lane while keeping the existing right-turn lane and flare with adequate storage and appropriate taper for the right-turn movement. 2. Upgrade the traffic signal to accommodate the striping modification and eastbound through lane and adjust the timing splits according to the projected future traffic patterns. <p><u>Andrews Chapel road and site access #1/future collector road (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct the southbound approach of site access #1/future collector road to provide for one inbound lane and two outbound lanes with a shared through/right-turn lane and a left-turn lane with adequate storage and appropriate taper. 2. Widen the westbound approach of Andrews Chapel road to provide a left-turn lane with adequate storage and appropriate taper. 3. Widen the eastbound approach of Andrews Chapel road to provide a left-turn lane with adequate storage and appropriate taper. 4. Construct the northbound approach of future collector road to provide for one inbound and two outbound lanes with a shared through/left lane and a right-turn lane) with adequate storage and appropriate taper. 5. Strengthen the existing pavement structure on Andrews Chapel road from Leesville Road to the 	Cover

Table D5. Summary of Development Plan		
	<p>proposed collector street as required by NCDOT.</p> <p><u>T.W. Alexander Drive extension and future collector road (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct the southbound approach of future collector road to provide for one inbound lane and two outbound lanes, a right-turn lane and future left-turn lane. 2. Construct the eastbound approach of T.W. Alexander drive extension to provide for an exclusive left-turn lane with adequate storage and appropriate taper. <p><u>Leesville road and site access #2a (unsignalized, temporary right-in/right-out)</u></p> <ol style="list-style-type: none"> 1. Construct an exclusive eastbound right-turn taper along Leesville Road. 2. Construct the northbound approach of access #2a to provide for one inbound lane and one outbound lane with a center median along Leesville Road to enforce left-turn restrictions. <p><u>Leesville road and site access #2 (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct an exclusive westbound left-turn lane on Leesville Road with adequate storage and appropriate tapers. 2. Construct an exclusive eastbound right-turn lane Leesville Road with adequate storage and appropriate tapers. 3. Install a traffic signal with steel poles and mast arms (subject to MUTCD warrants and approval by NCDOT). 4. Construct a collector street on the south side of Leesville Road to serve the proposed development and provide a north-south public street collector from T.W. Alexander (via access #1) to Leesville Road (access #2). The collector street should have one ingress lane and two egress lanes at Leesville Road. 5. Remove site access #2a with the construction with permanent access #2. <p><u>Leesville Road and site access #3 (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct site access #3 to provide for one inbound lane and one outbound lane. 2. Widen the westbound Leesville Road approach to provide for an exclusive left-turn lane with adequate storage and appropriate taper. <p><u>T.W. Alexander drive and ACC Boulevard (unsignalized)</u></p> <ol style="list-style-type: none"> 1. Construct the westbound approach of T.W. Alexander Drive extension to provide for one left-turn lane with adequate storage and appropriate taper, one shared through/right lane, one through lane, and two outbound lanes. 2. Restripe the eastbound approach of T.W. Alexander 	

Table D5. Summary of Development Plan		
	<p>Drive to provide one through lane and one shared through/right lane.</p> <p>3. Maintain the stop control on the northbound approach of acc boulevard.</p> <p><u>Future T.W. Alexander Drive Extension cross-section</u></p> <p>1. Construct the T.W. Alexander Drive extension to provide a four-lane divided section and a center landscaped median, two through lanes in both directions, and sidewalks on both sides, extending from its current terminus at acc boulevard to the future intersection with the collector road.</p> <p><u>Brier Creek Parkway and ACC Boulevard (signalized)</u></p> <p>1. Re-optimize traffic signal splits according to the projected future traffic patterns.</p> <p><u>Improvements by others - which may be required of this development</u></p> <p><u>Leesville Road and Doc Nichols Road (unsignalized)</u></p> <p>1. Construct an eastbound left-turn lane on Leesville Road at Doc Nichols Road with adequate storage length and appropriate tapers.</p> <p>2. Construct an exclusive southbound left-turn lane on Doc Nichols Road at Leesville Road with adequate storage length and appropriate tapers.</p> <p>3. Install a traffic signal with steel poles and mast arms (subject to MUTCD warrants and approval by NCDOT).</p> <p><u>Olive Branch Road and Doc Nichols Road (unsignalized)</u></p> <p>1. Construct an exclusive southbound right-turn lane on Olive Branch Road at Doc Nichols Road with adequate storage and appropriate tapers.</p>	

Table D5. Summary of Development Plan		
Design Commitments (summary)	<p>Architecture will be of a contemporary nature.</p> <p>Roofline. Flat and sloped (gables, hipped, etc.) roofs will be allowed. All rooftop equipment will be completely screened from views along public street right-of-ways.</p> <p>Building Materials. Primary material to be a choice or combination of brick, block, stone, EIFS, vinyl, and fiber cement board with visible trim and accents.</p> <p>Distinctive Architectural Features. Will match the contemporary nature and emphasize the compatibility of the proposed development. Features can include entrance monument signs, bell and/or clock tower, or decorative fencing.</p> <p>Context. Clubhouse and multi-family units will be similar in scale and design style to be compatible with the proposed surrounding residential development.</p>	D000

Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans	
Comprehensive Plan	
Policy	Requirement
Future Land Use Map	Low Density Residential (4 DU/Ac. or less) and Low-Medium Density Residential (4 – 8 DU/Ac.)
2.2.2b	Demand for Residential Land
8.1.2m	Transportation Level of Service
8.1.4b	Development Review and the Adopted Trails and Greenway Plan
8.1.4.d	Development Review and the Adopted Regional Bicycle Plan
8.1.6d	Development Review and Adopted Transportation Plans
9.4.1a, b, c	Water Quantity and Quality Level of Service
11.1.1a	School Level of Service
Long Range Bicycle Plan	
Map 4.8 shows a proposed trail along the two tributaries to Little Brier Creek as well as a proposed paved shoulder along Leesville Road and Andrews Chapel Road.	
Durham Trails and Greenways Mater Plan	
A proposed trail is shown along the two tributaries to Little Brier Creek.	
Wake-Durham Comprehensive Street System Plan	
A collector street is shown running north-south through this site.	

Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context			
	Existing Uses	Zoning Districts	Overlays
North	Single-family residential, agriculture	PDR 3.000, RR	F/J-B
East	Single-family residential, agriculture, place of worship	RR	None
South	Single-family residential, agriculture, commercial	RR	None
West	Single-family residential, agriculture, forestry	RR	None

Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts		
Leesville Road and US 70 are the major roads impacted by the proposed zoning change. There are two scheduled NCDOT roadway improvement projects in the area.		
1) NCDOT TIP Project U-4720 will provide improvements to the US 70 corridor from Lynn Road to the Wake County Line. This project is currently unfunded. 2) NCDOT TIP U-4721 will construct the Northern Durham Parkway from US 70 to US 501 (N. Roxboro Street). This project is currently unfunded.		
Affected Segments	Leesville Road	US Highway 70
Current Roadway Capacity (LOS E) (ADT)	11,700	35,700
Latest Traffic Volume (AADT)	4,400	27,000
Traffic Generated by Present Designation (average 24 hour)*	5,706	
Traffic Generated by Proposed Designation (average 24 hour)**	4,928 (103% of TIA)	
Impact of Proposed Designation	-778	

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2002)

Leesville Road: 2-lane major City/County roadway without left-turn lanes

US 70: 4-lane divided Class I arterial

Source of Latest Traffic Volume: 2009 NCDOT Traffic Count Map

***Assumption** (Max Use of Existing Zoning) – PDR 4.000: 1,053 detached senior adult housing units and 265 attached senior adult housing units; RR: 73 single-family lots

****Assumption** (Max Use of Proposed Zoning) – PDR 3.700: 1,053 detached senior adult housing units and 265 attached senior adult housing units

Table G2. Transit Impacts
Transit service is not currently provided within ¼ mile of the site.

Table G3. Utility Impacts
This site will be served by public water and sewer.

Table G4. Drainage/Stormwater Impacts
The impacts of any change will be assessed at the time of site plan review.

Table G5. School Impacts			
The proposed zoning is estimated to generate 29 students. The assumption for proposed students below is based on development for townhouses (multi-family) as opposed to the greater student generating assumption of single-family due to the age-restricted commitment (text commitment #3) for this community. As such, there is a decrease of 24 students over the maximum potential (if developed with the current zone) projected for the proposed development. Durham Public Schools serving the site are Spring Valley Elementary School, Neal Middle School, and Southern High School.			
Students	Elementary School	Middle School	High School
Current Building Capacity	15,864	8,647	9,916
Maximum Building Capacity (110% of Building Capacity)	17,450	9,512	10,908
20th Day Attendance (2011-12 School Year)	15,827	7,008	9,689
Committed to Date (April 2009–March 2012)	387	126	87
Available Capacity	1,236	2,378	1,135
Potential Students Generated – Current Zoning*	25	12	16
Potential Students Generated – Proposed Zoning**	14	7	8
Impact of Proposed Zoning	-11	-5	-8

***Assumption-** (Max Use of Existing Zoning) – PDR 4.000: 262 multi-family units (20% of 1,314 without age restrictions per text commitment #3) and RR: 73 single-family lots

** **Assumption-** (Max Use of Proposed Zoning) – PDR 3.700: 262 multi-family units (20% of 1,314 without age restrictions per text commitment #3)

Table G6. Water Supply Impacts	
This site is estimated to generate a total of 144,540 GPD if developed to its maximum potential with the proposed zoning district. This represents a decrease of 11,315 GPD increase over the existing zoning district.	
Current Water Supply Capacity	37.00 MGD
Present Usage	27.69 MGD
Approved Zoning Map Changes (April 2009 – March 2012)	0.69MGD
Available Capacity	8.62 MGD
Estimated Water Demand Under Present Zoning*	155,855 GPD
Potential Water Demand Under Proposed Zoning**	144,540 GPD
Potential Impact of Zoning Map Change	-11,315 GPD

Notes: MGD = Million gallons per day

***Assumption-** (Max Use of Existing Zoning) – PDR 4.000: 1,314 multi-family units ; RR: 73 single-family lots

**** Assumption-** (Max Use of Proposed Zoning) –PDR 3.700: 1,314 multi-family units

Appendix K: Summary of Planning Commission

Attachments:

9. Planning Commissioner's Written Comments
10. Ordinance Form